

## Teacher Employment Contract Policies

### What reemployment rights do teachers have following a reduction in force?

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This metric captures what, if any, reemployment rights teachers have following a dismissal caused by a reduction in force. View the full 50-State Comparison: Teacher Employment Contract Policies [here](#).

STATE	WHAT REEMPLOYMENT RIGHTS DO TEACHERS HAVE FOLLOWING A REDUCTION IN FORCE?	CITATION
Alabama	Local decision. Not specified in state policy.	
Alaska	For a period of three years after layoff, a teacher is entitled to a hiring preference in the district of previous employment. Layoff status does not constitute a break in service for retaining tenure rights and accrued sick leave.	Alaska Stat. Ann. § 14.20.177
Arizona	Not specified in state policy.	
Arkansas	Not specified in state policy.	
California	Probationary employees who have been terminated as a result of a reduction in force have preferred rights to reemployment, subject to the seniority of other terminated employees for a 24-month period.  Nonprobationary employees who have been terminated as a result of a reduction in force have preferred rights to reemployment, subject to seniority, for a 39-month period. During this period, the teacher will be given priority for substitute teacher positions. The governing body may also assign the teacher to a different district during this reemployment period.	Cal. Educ. Code § 44955-44957
Colorado	A teacher who was deemed effective during the prior school year and has not secured a mutual consent placement becomes a member of a priority hiring pool and is ensured the first opportunity to interview for a reasonable number of positions. If not selected for another position, the teacher is removed from the school or may be assigned a different teaching assignment, a substitute assignment or instructional support role during the period in which the teacher is attempting to secure an assignment through school-based hiring. After 12 months or two hiring cycles, whichever is longer, the district must place the teacher on unpaid leave until an assignment is secured. At that time of reemployment the salary and benefits are reinstated at the level they would have been if the teacher had not placed on unpaid leave. These provisions may be waived by the state board of education for a period not to exceed four years upon district request.	Colo. Rev. Stat. Ann. § 22-63-202

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Connecticut	Tenured teachers shall resume tenure if reemployed by the same board of education within 5 calendar years of layoff.	Conn. Gen. Stat. Ann. § 10-151
Delaware	Not specified in state policy.	
District of Columbia	Not specified in state policy.	
Florida	Not specified in state policy.	
Georgia	Not specified in state policy.	
Hawaii	Teachers dismissed due to a reduction in force shall be placed on a preferred eligibility list and shall have the right to be restored to duty in the order of length of service whenever vacancies occur in which the teacher is qualified.	Haw. Rev. Stat. Ann. § 302A-609
Idaho	School district may adopt a policy establishing an equitable method of recalling individuals if positions become available.	Idaho Code Ann. § 33-522A
Illinois	Not specified in state policy.	
Indiana	Not specified in state policy.	
Iowa	Not specified in state policy.	
Kansas	Not specified in state policy.	
Kentucky	Teachers whose continuing contracts are suspended shall have the right of restoration in continuing service status in the order of seniority of service in the district if teaching positions become vacant or are created for which any of the teachers are or become qualified.	Ky. Rev. Stat. Ann. § 161.800
Louisiana	Not specified in state policy.	
Maine	As negotiated by the school board and bargaining agent, reemployment can be based on effectiveness ratings and seniority.	Me. Rev. Stat. tit. 20-A, § 13201
Maryland	Not specified in state policy.	
Massachusetts	Not specified in state policy.	
Michigan	Recalls of teacher who were dismissed after a reduction in force must be based on performance and criteria similar to those that determine retention during a reduction in force.	Mich. Comp. Laws Ann. § 380.1248
Minnesota	Not specified in state policy.	
Mississippi	Not specified in state policy.	
Missouri	Teachers placed on a leave of absence will be reinstated in inverse order of his or her placement on leave of absence.	Mo. Ann. Stat. § 168.221
Montana	Not specified in state policy.	

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Nebraska	Employees whose contracts are terminated have preferred rights to reemployment for a period of 24 months, and the employee must be recalled on the basis of length of service to the school to any position for which he or she is qualified by endorsement or college preparation to teach.	Neb. Rev. Stat. Ann. § 79-848
Nevada	Not specified in state policy.	
New Hampshire	Not specified in state policy.	
New Jersey	Staff dismissed due to a reduction in force are granted priority in hiring based on seniority status. Experience within fields or categories of service may also be considered.	N.J. Stat. Ann. § 18A:28-10  N.J. Stat. Ann. § 18A:28-12  N.J. Stat. Ann. § 18A:28-13
New Mexico	Not specified in state policy.	
New York	Teachers who have demonstrated faithful and competent service in prior positions in the district can be placed on a preferred list for up to seven years. Appointments from the preferred list are given based on their length of service in the system.	N.Y. Educ. Law § 3013
North Carolina	Not specified in state policy.	
North Dakota	Not specified in state policy.	
Ohio	Teachers dismissed while under a continuing contract have a right to restoration of continuing contract status within the district when a position is added or becomes vacant that the teacher is qualified for.	Ohio Rev. Code Ann. § 3319.17
Oklahoma	Not specified in state policy.	
Oregon	Teachers have a right to recall for 27 months from the date of release. Recalled teachers retain their status and probationary teachers are counted as though their employment was continuous. Each school district is charged with developing a procedure for recalling teachers who have been released as a result of a reduction in force.	Or. Rev. Stat. Ann. § 342.934
Pennsylvania	Teachers have a right to reinstatement based on teacher performance evaluations and seniority, depending on the availability of positions. Teachers who have been dismissed as a result of a reduction in force will continue to accrue seniority.	24 Pa. Stat. Ann. § 11-1125.1
Puerto Rico	Not specified in state policy.	
Rhode Island	Teachers have a right to reinstatement in the inverse order of their suspension. No new appointments shall be made while there are available suspended teachers suspended.	16 R.I. Gen. Laws Ann. § 16-13-6

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South Carolina	Not specified in state policy. However, teachers dismissed for economic reasons have priority for reemployment to fill vacancies for which they are qualified. Priority lasts for two years from the date of their dismissal.	S.C. Code Ann. § 59-25-415
South Dakota	Not specified in state policy.	
Tennessee	<p>Teachers rated in the three highest categories based on evaluations must be placed on a list for reemployment. The director of schools has the power to determine the filling of vacancies on the basis of the director's evaluation of the teacher's competence, compatibility, and suitability to carry out the duties required for the vacant position considered in the best interest of the students in the school where the vacancy exists. A principal may refuse to accept the placement or transfer of a teacher by the director of schools to the principal's school. The teacher's most recent evaluations must be a factor in such determination.</p> <p>The teacher has a right to remain on the preferred list for reemployment until they have been reemployed in a comparable position, or the teacher rejects four offers for reemployment in a comparable position within the local education agency.</p>	Tenn. Code Ann. § 49-5-511
Texas	Not specified in state policy.	Tex. Educ. Code Ann. § 21.157
Utah	Not specified in state policy.	
Vermont	Not specified in state policy.	
Virginia	Not specified in state policy.	
Washington	Not specified in state policy.	
West Virginia	Teachers who were dismissed in a reduction in force have a right to early notification and preference for new positions for which they are qualified.	W. Va. Code Ann. § 18A-4-7a
Wisconsin	Teachers are rehired based on seniority when positions become available.	Wis. Stat. Ann. § 118.23
Wyoming	Not specified in state policy.	